

November 14, 2006

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WT Docket No. 01-309
HAC Digital Wireless Telephones

Sixth Semi-Annual Report – As Amended

Dear Ms. Dortch:

The Filer, North Dakota Network Co. (“NDNC”) is the licensee of Stations KNLH232 (D-Block – Minot, North Dakota BTA), and KNLH234 (F-Block – Minot, North Dakota BTA) in the broadband Personal Communications Service. This report is submitted pursuant to the requirements of Paragraph Nos. 89-91 of the Commission’s Report and Order (WT Docket No. 01-309) FCC 03-168, released August 14, 2003 (“R&O”). It is also intended to amend and replace a previous Sixth Semi-Annual Report that NDNC filed on November 9, 2006.

By way of background, the Filer is a small, Tier III Commercial Mobile Radio Service licensee, as defined in the Commission’s E-911 Order to Stay, FCC 02-210, released July 26, 2002. The Filer’s wireless system employs a CDMA air interface. The Filer currently markets eight (8) models of digital wireless handsets. Upon information and belief, five (5) of these handset models, the Motorola V3c (FCC ID: IHDT56FT1), the Motorola V266 (FCC ID: IHDT56ET1), the Motorola V323 (FCC ID: IHDT56FA1), the Motorola W315 (FCC ID: IHDT56GE1) and the Kyocera Slider Remix KX5 (FCC ID: OVFKWC-KX5), have received a rating of M3 or better under ANSI Standard C63.19. Only one of these handsets, the Motorola V3c, has received a rating of T3 or better for T-Coil or inductive coupling. Because NDNC was unable to obtain at least two models of CDMA handsets with a rating of T3 or better prior to the September 18, 2006 regulatory compliance deadline, the Company was forced to seek a temporary waiver or stay of this requirement in a petition that was filed in WT Docket 01-309.¹

To achieve compliance with the requirements of the R&O, the Filer is at the mercy of the handset manufacturers to develop and market HAC-compliant digital wireless handsets. As a small, Tier III wireless carrier, the Filer has no influence over the product development and

¹ See North Dakota Network Co. *Petition for Temporary Waiver or Temporary Stay*, WT Docket No. 01-309 (filed September 18, 2006). NDNC’s petition requests one year, up to and including September 18, 2007, to achieve compliance with Rule Section 20.19(d)(2) and to include at least two handset models per air interface that comply with Rule Section 20.19(b)(2) and to make these phones available for consumer testing in each of its retail stores.

digital handset. The Filer offers these Plantronics headsets, and the M3 rated handsets which are listed in Item 4 above, in its retail store and also advertises these devices on the company website.

Item 8: Information Related to Incorporating Hearing Aid Compatibility Features Into Newer Models of Digital Wireless Phones – The incorporation of HAC features into newer models of digital wireless telephones will be accomplished by the handset manufacturers.

Item 9: Any Activities Related to ANSI 63.19 or Other Standards Work Intended to Promote Compliance with the Requirements of the Commission's Report and Order – None. The Filer is a small carrier that is not involved in standards development.

Item 10: Total Numbers of Compliant and Non-Compliant Phone Models Offered as of the Date of this Report - As noted above, the Filer currently offers eight (8) different models of CDMA handsets. Currently, five (5) out of the eight (8) phones the Filer sells are HAC-M3 compliant. Upon information and belief, just one of these handsets – the Motorola V3c – has received a T3 rating or better under ANSI Standard C63.19.

Item 11: Any Ongoing Efforts for Interoperability Testing with Hearing Aid Devices – None. The Filer is a small carrier that is not involved in handset interoperability testing with hearing aid devices.

Should you have any questions concerning this report, please contact John Prendergast or Cary Mitchell of the law firm of Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP. Either may be reached by calling (202) 659-0830.

Respectfully submitted,
NORTH DAKOTA NETWORK CO.



John A. Reiser
Chief Operations Officer/Assistant Manager

distribution decisions of wireless handset manufacturers; and, accordingly must rely on the manufacturers to develop HAC-compliant digital wireless handsets for use on the Filer's system.

Given the foregoing, the information requested by the Commission is identified as follows:

Item 1: Digital Wireless Phones Tested – None. As described above, the Filer is a small carrier that is not involved in the handset development or testing process. The Filer will rely on testing performed by the handset manufacturers.

Item 2: Laboratory Used – None. See Response to Item 1.

Item 3: Test Results for Each Phone Tested – Not applicable. See Response to Item 1.

Item 4: Identification of Compliant Phone Models and Ratings According to ANSI C63.19

The Filer is selling four (4) Motorola, Inc. CDMA handsets that meet the M3 rating under ANSI C63.19. These include Model Numbers W315, V266, V323 and V3c. The Filer is also selling one (1) Kyocera Wireless Corp. CDMA handset that meet the M3 rating under ANSI C63.19. That Model Number is the KX5. The Filer is currently selling one (1) handset – the Motorola V3c – that has received a rating of T3 or better under ANSI C63.19.

Item 5: Report on the Status of Product Labeling – The Filer is not involved in product labeling or the development of labeling standards. However, we are aware that some confusion may arise regarding the handset labeling standards contained in the 2001 and draft 2005 version of the C63.19 standard, which specify different letter designations for HAC compliance. While the 2001 version of the C63.19 standard uses a “U” rating for radio frequency (RF) immunity and a “UT” rating for acoustic coupling, the 2005 version uses labeling that is consistent with the switches on hearing aids (i.e., specifying “M” for Microphone and “T” for T-Coil). Accordingly, all compliant handsets offered by the Filer will be labeled with the “M” and “T” ratings associated with the 2005 draft version of the ANSI technical standard, as appropriate.²

Item 6: Report on Outreach Efforts – The Filer has developed a hearing aid compatibility information sheet to assist hearing impaired customers in selecting current model phones and accessories most suitable to their needs. This information sheet will also serve to educate the Filer's employees and retail sales force about HAC-related issues and possible solutions.

Item 7: Information Related to Retail Availability of Compliant Phones – As discussed above, the Filer has been diligent in identifying and obtaining a variety of CDMA handsets that have received an M3 rating or better under ANSI Standard C63.19. However, it is the Filer's understanding that only a handful of CDMA handsets have received a T3 or better rating under ANSI Standard C63.19. The Filer is currently offering one such handset – the Motorola V3c.

In addition, the Filer offers two models of headsets from Plantronics (models M114 and M130) which, according to the manufacturer, are HAC compatible and may be used with any model of

² See In the Matter of Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones, *Order on Reconsideration and Further Notice of Proposed Rule Making*, 36 CR 190, 20 FCC Rcd 11221 at ¶¶ 33-36 (2005).